

REMARKS

Reconsideration of this application and the rejection of claims 1-19 are respectfully requested. Applicants have attempted to address every objection and ground for rejection in the Office Action dated June 16, 2006 (Paper No. 20060608) and believe the application is now in condition for allowance. The claims have been amended to more clearly describe the present invention.

Applicants respectfully request confirmation that the Examiner has considered the references included in the International Search Report filed with the above-identified application. According to the Notice of Acceptance mailed April 15, 2006, those references were received but were not reflected on the PTO 1449.

Claims 1-7 and 14-17 stand rejected under 35 U.S.C. §102(b) as being anticipated by Knab et al. (U.S. Pat. No. 3,923,482). Knab discloses a clean air directing apparatus 10 including a blower unit 12, an air directing head 14, and an air delivery tube 15 interconnecting the blower unit and the head. The head 14 has an air filter 31 located at the outlet end.

In contrast, claim 1 has been amended to incorporate features of cancelled claim 12 and now recites, among other things, “[a] device for the supply of a gas to an area, comprising: a supply conduit, which is connectable to a gas source and which includes an outlet end, and a porous body, which is manufactured of a foam rubber-like material and is provided at said outlet end...” Knab fails to disclose or suggest a porous body made of a foam rubber-like

material, and therefore, Applicants submit that amended claim 1 is patentably distinct from Knab.

With respect to claim 17, Applicants submit that Knab fails to disclose or suggest that the air emitted from the hose includes carbon dioxide as its main component. Accordingly, Applicants respectfully traverse the rejection of claims 1-7 and 14-17 under 35 U.S.C. §102(b).

Claims 1-7 and 14-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bagby (U.S. Pat. No. 690,224). Bagby discloses a hot air dental appliance for the supply of gas to an inner portion of the human mouth including a supply conduit 4 and an absorbent material 6 located at the outlet end of the conduit.

In contrast, claim 1 has been amended to include features of cancelled claim 12 and now recites, among other things, “[a] device for the supply of a gas to an area, comprising: a supply conduit, which is connectable to a gas source and which includes an outlet end, and a porous body, which is manufactured of a foam rubber-like material and is provided at said outlet end...” Applicants submit that as amended, claim 1 is patentably distinct from Bagby because Bagby fails to disclose a porous body made of a foam rubber-like material.

With respect to claim 7, Applicants submit that the porous body 6 in Bagby does not have a “substantially semispherical surface,” as recited in the claim, but rather has a substantially cylindrical shape. (See Fig. 1 of Bagby).

Accordingly, Applicants respectfully traverse the rejection of claims 1-7 and 14-17 based on Bagby.

Claims 8-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knab et al. or Bagby in view of Heimlich (U.S. Pat. No. 3,672,372). The arguments made above traversing Knab and Bagby are reasserted here. Heimlich discloses a urinary drainage method including a catheter 10 having a stiffening means 36 extending longitudinally along the main tube of the catheter. Heimlich does not disclose a foam rubber-like filter, or any other type of air filtering device.

As amended, claim 1 incorporates features of cancelled claim 12 and now recites, among other things, “a porous body, which is manufactured of a foam rubber-like material and is provided at said outlet end...” Applicants submit that none of Knab, Bagby or Heimlich, either alone or in combination, suggest or disclose all of the features recited in amended claim 1, from which claims 8-11 either directly or indirectly depend.

Applicants further submit that there is no motivation or incentive to modify the references as suggested by the Examiner. Specifically, Knab includes a ceiling-attached bracket 38 having rotatable arms 39, 40 that permit horizontal positioning of the head 14, where the head is rotatably connected to arm member 40 for relative movement. Modifying Knab to include stiffening means in hose 15 would render it difficult to properly position the head 14, because it will be more difficult to move the head relative to the rotating arm. With respect to Bagby, the

appliance includes a rubber tube 4 configured for easy movement and placement in the patient's mouth. Applicants submit that modifying the tube 4 in Bagby to include a stiffening means would make it more difficult to maneuver the device during surgery, because of its added stiffness. Accordingly, Applicants respectfully traverse the rejection of claims 8-11 under 35 U.S.C. §103(a).

Claims 12 and 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Knab et al. or Bagby in view of Van der Linden (U.S. Pat. No. 6,994,685). The arguments made above traversing Knab and Bagby are restated here. Van der Linden discloses a method and device for creating a protecting atmosphere, including a supply conduit 1 connectable to a gas source 2 and a porous body 3 made of a foam rubber-like material.

Claim 1 as amended includes features of cancelled claim 12 and now recites, among other things, "a porous body, which is manufactured of a foam rubber-like material and is provided at said outlet end...wherein the device includes an attachment member, which includes a surface and a channel extending through the surface, wherein the porous body is attached to said surface..."

Applicants submit that modifying the porous body 31 in Knab to be made of a foam rubber-like material would render Knab insufficient for its intended purposes, which is to provide a head 14 that emits a laminar flow central column of contaminant-free air surrounded by an annular sheath or curtain of relatively high velocity contaminant-free air. (Col. 2, l. 66 – Col. 3, l. 3). Both the central column of low velocity air and the outer sheath of high velocity air pass

through the air filter 31 prior to being discharged from the head. Modifying Knab to include an air filter made of a foam rubber-like material would cause the air to be discharged in a continuous and slow laminar flow, lacking the desired high velocity flow and as such, is contrary to Knab's intended purpose.

Applicants further submit that modifying Bagby to include a porous body made of a foam rubber-like material would render Bagby insufficient for its intended purpose, which is a dental appliance designed to provide a continuous current of hot air to the tooth or mouth of a patient for an extended period of time. (Col. 1, ll. 9-18). To provide such a current, the nozzle 15 of the appliance has a bent tapering end 18, which applies the directed flow of air to the tooth/mouth of the patient. Modifying Bagby to include the foam rubber-like material recited in amended claim 1 would place the porous body at the outlet end of the supply conduit, or at the tapering end 18 of the nozzle 15 in Bagby. Such a modification would require that the porous body be inserted into the patient's mouth, which is unsanitary, and would prevent the desired directed flow of hot air from flowing a specific tooth or area of the mouth, as the porous body would expand the area of airflow. Accordingly, Applicants respectfully traverse the rejection of claims 12 and 13 under 35 U.S.C. §103(a) in view of Knab, Bagby and Van der Linden.

New claim 20 recites the feature, among other things, "an attachment member including a first surface, a second surface located opposite said first surface, and a channel configured for receiving said supply conduit and extending through both said second and first surfaces, respectively; and a porous

body provided at said outlet end and having a proximal end attached to said first surface and a distal end free of attachment, the device being in communication with said supply conduit and arranged to permit the supply of gas through the porous body.” In both Knab and Bagby, the entire porous body is surrounded by the attachment member surface, and the attachment member fails to include both a first surface and a second surface located opposite the first surface. (See Fig. 2 of Knab, Fig. 1 of Bagby). Neither Heimlich nor Van Der Linden discloses an attachment member as recited in claim 20. New claim 21 depends from claim 20, and accordingly, Applicants respectfully submit that claims 20 and 21 are in allowable form.

New claim 22 recites, among other things, “an attachment member including a first surface, a second surface located opposite said first surface, a channel extending through both said second and first surfaces, respectively, and a sleeve surrounding said conduit and projecting from said second surface; and a porous body projecting from said first surface in a direction opposite from said sleeve...” In Knab and Bagby, the attachment members 14 and 11, respectively, do not include a first surface and a second surface located opposite the first surface, and therefore do not include a sleeve projecting from the second surface and a porous body projecting from the first surface in a direction opposite from the sleeve. Neither Heimlich nor Van der Linden disclose a sleeve as recited in new claim 22. Accordingly, Applicants respectfully submit that claim 22 is in allowable form.

In view of the above amendments and remarks, the application is respectfully submitted to be in allowable form. Allowance of the rejected claims is respectfully requested. Should the Examiner discover there are remaining issues which may be resolved by a telephone interview, he is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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